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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-124

13 **BARBARA JIMENEZ DURAM**
14 **FERRERIA, A.K.A.**
15 **BARBARA JIMENEZ FERRERIA**
16 **680 Evergreen Lane, Apt. 3**
17 **Port Hueneme, California 93041**

A C C U S A T I O N

18 **Registered Nurse License No. 655943**

19 Respondent.

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
23 Department of Consumer Affairs.

24 **Registered Nurse License**

25 2. On or about April 11, 2005, the Board issued Registered Nurse License Number
26 655943 to Barbara Jimenez Duram Ferreria, also known as Barbara Jimenez Ferreria
27 ("Respondent"). The registered nurse license was in full force and effect at all times relevant to
28 the charges brought herein and expired on February 28, 2009.

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1 **COST RECOVERY**

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **BACKGROUND**

7 9. On or about September 24, 2005, H.P. was a 20 year-old patient admitted to
8 Community Memorial Hospital of San Buenaventure, Ventura, California, for seizure activity.
9 H.P. suffered from severe cerebral palsy with spastic quadriplegia, severe mental retardation, and
10 severe scoliosis. Although H.P. was an adult, she was only 52 inches tall and weighed only 40
11 pounds. After reviewing the morning lab results for H.P., Respondent contacted the hospitalist on
12 duty to report that that H.P.'s potassium level was low (2.9). Respondent did not provide critical
13 information to physician such as the weight of the patient. Respondent was given a physician's
14 order to administer 40 mEq of potassium via nasogastric tube every 1 hour times 4 and then
15 repeat the lab to check the potassium levels. Respondent administered the medication as ordered.
16 At approximately 1600 hours, in the presence of her father, the patient suffered a sudden seizure
17 and stopped breathing. All attempts to resuscitate H.P. were unsuccessful. A lab test taken at
18 1647 showed a critical potassium level of 9.6.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Incompetence)**

21 10. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(1),
22 on the grounds of unprofessional conduct, in that on or about September 26, 2005, while on duty
23 as a registered nurse at Community Memorial Hospital of San Buenaventure, Ventura, California
24 and caring for patient H.P., Respondent committed acts constituting incompetence as defined in
25 California Code of Regulations, title 16, section 1443, as follows:

26 a. Respondent failed to provide critical information to the ordering physician at the time
27 the order for potassium was obtained, i.e., that although the patient was an adult, she was not of
28 average size or weight for her age.

1 b. Respondent failed to question the dosage which, at 40 mEq every hour for 4 hours, is
2 too high even for an adult of average height and weight.

3 **SECOND CAUSE FOR DISCIPLINE**

4 11. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on
5 the grounds of unprofessional conduct, as more particularly set forth in paragraph 10,
6 subparagraphs a and b, above.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
9 and that following the hearing, the Board of Registered Nursing issue a decision:

10 1. Revoking or suspending Registered Nurse License Number 655943, issued to Barbara
11 Jimenez Duram Ferreria, also known as Barbara Jimenez Ferreria;

12 2. Ordering Barbara Jimenez Duram Ferreria, also known as Barbara Jimenez Ferreria
13 to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement
14 of this case, pursuant to Business and Professions Code section 125.3; and,

15 3. Taking such other and further action as deemed necessary and proper.
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18 DATED: 8/28/09

19 *Louise R. Bailey*
20 LOUISE R. BAILEY M.Ed., RN
21 Interim Executive Officer
22 Board of Registered Nursing
23 Department of Consumer Affairs
24 State of California
25 Complainant
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